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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ RFA(COMM) 495/2024, CM APPL. 67607/2024, CM APPL. 67608/2024, CM APPL. 67611/2024 and CM APPL. 27978/2025

ALPHA SEA AND AIR PRIVATE LIMITEDAppellant

Through: Ms. Anjali Jha Manish, Mr. Priyadarshi Manish and Ms. Shrejita Tyagi, Advs.

versus

SATYAVIR SINGH LAKRA & ORS.Respondents

Through: Mr. Deepak Mehra, Mr. Vikshit Kumar and Mr. Vikas Kumar, Advs.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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20.04.2026

1. The present Appeal has been filed against a money decree passed by the Court of First Instance.
2. Admittedly, the Appellant upon receipt of Notice, entered appearance in the Court of First Instance and filed its Written Statement.
3. Thereafter, the Defendants stopped appearing. At the time of final arguments, the counsel representing the Appellant assisted the Court, which led to passing of the Impugned Judgment and decree dated 23.01.2023.
4. This Appeal has been filed along with CM APPL. 67611/2024 application for condonation of delay of 236 days. The application, supported by an Affidavit, reads as under:

“1. That the aforementioned Regular First Appeal has been filed



against the impugned judgment and order dated 23.12.2023 wherein on account of circumstances beyond his control, the Appellant has been saddled to make payment of rental dues from November, 2019 to March, 2021 at the rate of Rs.2,00,000/- per month despite the fact that since 05.09.2019 till 10.03.2021 the Appellant could not utilize the leased premises on account of force majeure and therefore, on account of irresistible force, the lease is liable to be held as void in the light of provisions of Section 108(B)(e) of the Transfer of Property Act, 1882. The facts and circumstances relevant for the purposes of the present application are set out in detail in the said appeal and for the sake of brevity and to avoid repetition the Appellant craves leave to refer to and rely there upon without specifically incorporating the same hereinafter..

2. That the Appellant was not aware about the passing of impugned judgment dated 23.12.2023 and it came to know about the said judgment only when the execution proceedings has been initiated against it and thereafter the Appellant approached this Hon'ble Court by availing the appellate remedy. That therefore, a delay of 236 days has occurred in filing the aforementioned Appeal."

5. It is evident that the Appellant has failed to furnish plausible justification for failing to file the Appeal within a prescribed period.

6. Once the Appellant has failed to disclose sufficient cause in the application seeking condonation of delay in filing the Appeal, this Court is left with no choice, but to dismiss the CM APPL. 67611/2024 as well as the Appeal.

7. In view of the aforesaid, the present Appeal and CM APPL. 67611/2024, along with pending applications, stands dismissed.

ANIL KSHETARPAL, J.

AMIT MAHAJAN, J.

APRIL 20, 2026

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